THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO : 15811 of 2005

Between:

Smt. Moin Begum W/O. Late Md. Ifteqaruddin, R/o. 27-007/1, Subashchandra Bosenagar, Jidemetla, Hyderabad.

..... PETITIONER

AND

1 The Station House Officer, Rajendra Nagar Police Station, Cyberabad, Ranga Reddy District.
2 The Commissioner of Police, Cyberabad, Ranga Reddy District at Hyderabad.

.....RESPONDENTS

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

W.P.NO.15811 OF 2005

ORDER: (Per the Hon'ble Smt Justice T.Meena Kumari)

This is a taken up case on the Telegram issued by the petitioner seeking a direction to the respondents to produce her son viz., Md.Alauddin Haji, before this Court, on the ground that he was illegally detained in Rajendra Nagar Police Station, Cyberabad, Ranga Reddy District since 16-07-2005 at 6.00 A.M, apprehending danger to his life and to set him at liberty forthwith.

It is stated in the counter-affidavit filed by the 1st respondent that one Syed Jabbar lodged a complaint stating that his daughter's marriage was performed with one Md.Nasir on 20.10.2003 and subsequently she was harassed by her in laws both physically and mentally for want of additional dowry. They also threatened to kill her by pouring kerosene. It is further stated that pertaining to the matrimonial case, FIR was not registered and the alleged detenue was called for counseling between the parties to resolve the dispute. The alleged detenue has given an under taking to the effect that he will bring his mother and brother for counseling. But he failed to do so. Neither the alleged detenue nor the other accused are taken into custody as no crime was registered. Hence the question of his illegal detention does not arise.

It is submitted on behalf of the learned Advocate General submitted across the Bar that the alleged detenue was not arrested by the police.

In that regard the Deputy Collector and Mandal Revenue Office, Quthbullapur Mandal issued certificate stating that the alleged detenue was taken to Rajendranagar Police Station on 17.07.2005 and he was set at liberty on the same day and at present he is freely moving in Rodamestrinagar and Panjagutta where he is working in a cloth shop.

In view of the submission made by the learned Additional Advocate General and in view of the averments made in the counter and the certificate issued by the Deputy Collector and Mandal Revenue Officer, to the effect that the alleged detenue is freely moving, We are of the view that no further orders are necessary in this writ petition and accordingly, the same is liable to be dismissed.

The writ petition is, accordingly, dismissed. However, it is made clear that the certificate issued by the Deputy Collector and Mandal Revenue Officer, Quthbullaapur Mandal, shall form part of the record.

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T.MEENA KUMARI, J

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P.LAKSHMANA REDDY, J

25.07.2005

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